

REMARKS

Claims 1-17 are pending in the application and claims 3, 8, 10 and 13 are canceled.

Claims 1, 2, 4-7, 9, 11, 12 and 14-17 stand rejected.

Interview Summary

The undersigned thanks the Examiner and the Examiner's Supervisor for conducting the interview on February 25, 2010. During the interview, the rejection of claims 1, 7 and 9 was discussed with regard to Mitsui (US 7,222,235) and Hsich et al. (US 7,003,135). No agreement was reached. However, the Examiner recommended further defining the information that is attached by the information attaching means.

In view of the Examiner's suggestion, Applicants have amended independent claims 1, 7 and 9 to recite that "the information attached relates to a person corresponding to the one of the facial regions to which the information is attached."

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-2, 5-7, 9, 11, 12 and 14-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitsui (US 7,222,235), Hsich et al. (US 7,003,135) and Rhoads (US 6,411,725).

Claim 1 recites, *inter alia*, wherein the information attached relates to a person corresponding to the one of the facial regions to which the information is attached.

In the rejection, applies Mitsui as teaching the classification of non-overlapping objects within an image and attaching information (digital watermarks) to the corresponding objects.

The Examiner combines Mitsui with Hsieh because Mitsui fails to disclose identifying facial regions and Mitsui allegedly teaches a methodology to rapidly track multiple faces as target objects. Consequently, the Examiner is of the view that Mitsui could incorporate Hsieh's face tracking to identify target objects (faces) and then attach information to these faces

In response to the outstanding rejection, Applicants note that that information attached by Mitsui is digital watermark information to prevent an image from being tampered. (1:13-19). Nowhere does Mitsui correlate this digital watermark information with a person who is represented by an image. Rather, the digital watermark information is typically a compression parameter or hash value of bit data. (1:40-45). Thus, even if Mitsui could be combined with Hsieh and Rhoads as suggested by the Examiner, the applied combination fails to disclose "wherein the information attached relates to a person corresponding to the one of the facial regions to which the information is attached," as recited in claim 1.

Thus, Applicants submit claim 1 is allowable for at least this reason. Additionally, because claims 7 and 9 recite similar features, Applicants submit these claims are allowable for the same reasons set forth above. Further, claims 2, 5-6, 11, 12 and 14-17 are allowable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitsui, Hsieh and Rhoads as applied to claim 1, in further view of Motta et al. (US 6,726,103).

In response, Applicants submit that because Motta, either taken alone or in combination with Mitsui, Hsieh and Rhoads, fails to compensate for the deficiencies of those references as applied to claim 1 above, claim 4 is allowable, at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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